

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JAMES L. CARPENTER,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	No. 10-0734
	:	
SHU-BEE'S, INC.	:	
Defendant.	:	
	:	

ORDER

AND NOW, this 9th day of July, 2012, upon consideration of briefing on motions in limine, in Proposed Jury Instructions, and in Exhibit J to Defendant's Pretrial Memorandum whether the Restatement (Second) or Restatement (Third) applies to Plaintiff's strict liability claims, and for the reasons in the accompanying Memorandum,

IT IS ORDERED that the law of the Restatement (Second) applies to Plaintiff's strict liability claims.

BY THE COURT:

/s/ Henry S. Perkin
HENRY S. PERKIN
United States Magistrate Judge